

Bayer HealthCare

RECEIVED  
CENTRAL FAX CENTER

DEC 28 2004



To: Commissioner for Patents  
United States Patent and Trademark Office

Fax: (703) 872-9306 Pages: 13 (including cover)

Date: December 28, 2004

From: Jill Durante

Fax: (203) 812-6459 Tel.: (203) 812-6449

Fax

RE: Application No. 09/911,277

## Attachments:

-Petition for Extension of Time Under 37 CFR 1.136(a) (Form  
PTO/SB/22) [IN DUPLICATE] – (2 Pages)

-Reply and Amendment to Office Action mailed to applicants on  
07/28/2004 - (9 Pages); and

-Certificate of Transmission under 37 CFR 1.8 – (1 Page)

Bayer HealthCare LLC

400 Morgan Lane  
West Haven, CT 06516Phone: (203) 812-6449  
Fax: (203) 812-6459**PLEASE ACKNOWLEDGE RECEIPT**

THIS MESSAGE IS INTENDED ONLY FOR THE USE OF THE INDIVIDUAL TO WHOM IT IS ADDRESSED AND MAY CONTAIN INFORMATION THAT IS PRIVILEGED, CONFIDENTIAL, AND EXEMPT FROM DISCLOSURE. IF THE READER OF THIS MESSAGE IS NOT THE INTENDED RECIPIENT OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT THE PRIVILEGED OR CONFIDENTIAL NATURE OF THIS MESSAGE IS NOT WAIVED BY INADVERTENT DISCLOSURE. ANY DISSEMINATION OR COPYING OF THIS COMMUNICATION IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS COMMUNICATION IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE TO US BY MAIL. THANK YOU.

**RECEIVED**  
**CENTRAL FAX CENTER**

DEC 28 2004

PTO/SB/97 (05-03)

Approved for use through 04/30/2003. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

## Certificate of Transmission under 37 CFR 1.8

I hereby certify that this correspondence is being facsimile transmitted to the United States Patent and Trademark Office

on December 28, 2004  
Date

Jill Durante  
Signature

Jill Durante

Typed or printed name of person signing Certificate

Bayer Pharmaceuticals Corporation  
400 Morgan Lane  
West Haven, CT 06516  
Fax No. (203) 812-6459

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

### ATTACHMENTS:

- Petition for Extension of Time Under 37 CFR 1.136(a) (Form PTO/SB/22) [IN DUPLICATE]; and
- Reply and Amendment to Office Action mailed to applicants on 07/28/2004

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

**RECEIVED**  
**GENERAL FAX CENTER**

DEC 28 2004

**In the United States Patent and Trademark Office**

Appl. No.: 09/911,277 Confirmation No. 4089  
Applicant(s): Boss et al.  
Filed: 07/23/2001  
TC/A.U.: 1617  
Examiner: Hui, San Ming  
Docket No.: Le A 34 494  
Customer No.: 27941

**CERTIFICATION OF TRANSMISSION UNDER 37 C.F.R. 1.8**

I hereby certify that this correspondence, and any papers referred to in this certificate as being attached, are being facsimile transmitted to the United States Patent and Trademark Office on the date shown below.

Date:

DEC 28 2004

  
Bill Durante**Commissioner for Patents****P.O. Box 1450****Alexandria, VA 22313-1450****AMENDMENT UNDER RULE 312**

Sir:

This is in response to the Office action dated July 28, 2004. A two-month extension, up to and including December 28, 2004, in which to respond to the Office Action is respectfully requested. Please charge the fee for the extension to deposit account number 13-3372. Please amend the above-identified application as follows:

**Amendments to the claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 6 of this paper.